

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

KAY COX,)	
)	
Plaintiff,)	
v.)	CIVIL NO. 1:06CV145
)	
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER FOR REMAND

The defendant, Jo Anne B. Barnhart, Commissioner of Social Security, has moved this Court, pursuant to sentence six of 42 U.S.C. §405(g), to remand the cause for further administrative proceedings. Plaintiff consents to this motion.

On remand to the Commissioner, the Administrative Law Judge will: 1) consider the evidence submitted to the Appeals Council; 2) obtain a consultative physical examination, with specific attention to plaintiff's cervical impairment; 3) address all medical source opinions, including treating source opinions, and provide a rationale for the weight assigned to them; 4) reconsider plaintiff's residual functional capacity and provide a function-by-function assessment of the plaintiff's ability to perform work-related activities, with specific reference to the evidence in support of the assessed limitations; and 5) issue a new decision.

Pursuant to the power of this Court to enter a remand to the Commissioner of Social Security under sentence six of 42 U.S.C. §405(g), and in light of the Commissioner's request to remand this action for further proceedings with the pro se Plaintiff's consent, this Court hereby

REMANDS the matter for further proceedings under sentence six of 42 U.S.C. §405(g).

See Melkonyan v. Sullivan, 501 U.S. 89 (1991).

No judgment shall be entered in this matter at this time.

Signed: August 16, 2006

A handwritten signature in black ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

